

REMARKS

Claims 1-5 and 7-11 are pending. No amendments have been made by way of the present submission, thus, no new matter has been added.

Additionally, Applicants submit that no new issues have been raised by way of the present submission which would require additional search and/or consideration on the part of the Examiner. Further, in the event that the present submission does not place the application into condition for allowance, entry thereof is respectfully requested as placing the application into better form for appeal.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Issues Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-5 under 35 U.S.C. § 103(a) as being obvious over Ueda et al. (JP 2002-283313) in view of Stover '582 and Kawai '414.

The Examiner has also rejected claim 7 under 35 U.S.C. § 103(a) as being obvious over Ueda in view of Stover '582, Kawai '414 and Simonson '511.

Further, the Examiner has rejected claims 8 and 9 under 35 U.S.C. § 103(a) as being obvious over Ueda in view of Stover '582, Kawai '414 and Seale '756.

Additionally, the Examiner has rejected claim 10 under 35 U.S.C. § 103(a) as being obvious over Ueda in view of Stover '582, Kawai '414, Seale '756 and Onishi (JP 2000-263519).

Lastly, the Examiner has rejected claim 11 under 35 U.S.C. § 103(a) as being obvious over Ueda in view of Stover '582, Kawai '414 and Betzner '436.

Applicants respectfully traverse each of the above rejections.

In each of the rejections set forth by the Examiner, the Examiner has utilized the primary reference of Ueda (JP 2002-283313), hereinafter referred to as Ueda '313. However, as will be discussed below, due to deficiencies in the primary reference of Ueda '313, the Examiner has failed to present a valid *prima facie* case of obviousness. Further, none of the secondary references presented by the Examiner, whether these references be Stover '582, Kawai '414, Simonson '511, Seale '756, Onishi or Betzner '436, whether taken alone or in combination, are able to cure the deficiencies of the primary reference of Ueda '313. This will be discussed below.

Independent claim 1, the only independent claim according to the present invention, relates to a method of producing a fiber board, wherein the method comprises:

(a) a separating process of a bast portion wherein the bast portion of a kenaf is separated from a stem core portion,

(b) a fiberizing process wherein kenaf fibers are obtained from the bast portion of the kenaf by defibrating the bast portion of the kenaf,

(c) a preparing process of a mat wherein the kenaf fibers obtained by said defibrating treatment are aggregated to form a fiber mat comprising kenaf fibers having an average length of 10 - 200 mm and an average diameter of 10 - 300 μ m,

(d) a supplying process of an adhesive agent wherein the fiber mat is impregnated with a thermosetting adhesive agent by supplying the thermosetting adhesive agent into the fiber mat,

(e) a drying process of the adhesive agent wherein the fiber mat impregnated with the thermosetting adhesive agent is dried in an atmosphere of 120°C or less while an inner portion of the fiber mat is sucked from one side thereof, and

(f) a molding process wherein the fiber mat obtained in the drying process of the adhesive agent is molded by heating said fiber mat under pressure to form a fiber board having a density of 600 - 900 kg/m³.

All of the pending claims depend upon claim 1, either directly or indirectly.

Ueda '313 discloses the preparation of a fiber board supplied with an adhesive. The fiber board according to Ueda '313 is dried at a specified temperature. However, as previously pointed out to the Examiner, Ueda '313 simply discloses drying the fiber board by "air-blowing." However, Ueda '313 fails to suggest or disclose a drying process wherein a fiber mat, impregnated with a thermosetting adhesive agent, is dried in an atmosphere of 120°C or less while an inner portion of the fiber mat is sucked from one side thereof. This is embodied in limitation e) according to present claim 1. Further, this limitation is discussed at page 19, lines 1-15 of the present specification.

These arguments were submitted, however, the Examiner found them to be unpersuasive. Applicants now respectfully request the Examiner to reconsider Applicants' arguments.

In particular, claim 1 requires that during the drying process, the fiber mat impregnated with the thermosetting adhesive agent is dried "in an atmosphere of 120°C or less while an inner portion of the fiber mat is sucked from one side thereof." The Examiner asserts that the Ueda '313 reference discloses this type of drying process. Applicants respectfully disagree with the Examiner.

First, the Examiner points to Figure 6(b), paragraph 0065 and paragraph 0066 of Ueda '313, as disclosing the fiber board being sucked from one side thereof during the application of heat. Applicants submit that the Examiner is incorrect. The noted portions of the disclosure of Ueda '313, in particular Figure 6(b), only relate to drying the fiber board by a conventional "blowing" process. At no point is the application of suction disclosed by Ueda '313. The Examiner has asserted that the process of moving the mat from one side to another via the conveyance roller (35) (see Figure 6(b) of Ueda '313), is the same process as "sucking" the mat from one side. Applicants submit that this is unsupported by the disclosure of Ueda '313. At no point does Ueda '313 disclose that suction is applied. Moreover, the moving of the mat from side to side on the conveyer apparatus does not impart suction.

Second, the Examiner further asserts that in light of the drawings and the specification, the process of Ueda '313 is the same process claimed by the present invention. For instance, the Examiner points out that Figure 2(c) of the present application is the same as Figure 6(a) of Ueda '313. Please note that this may be true, however, these drawings do not deal with the drying process, rather, they deal with the "sinking-in" process which is used to squeeze out excess adhesive. Whether or not these drawings are the same is irrelevant and does not alter the distinction discussed above.

Accordingly, it has been shown above that serious deficiencies exist with respect to the primary reference of Ueda '313. Moreover, none of these deficiencies are cured by the secondary references cited by the Examiner. Accordingly, whether the references cited by the Examiner are taken alone or in combination, there exists no *prima facie* case of obviousness. Therefore, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

If the Examiner disagrees with Applicants, Applicants request that the Examiner contact the undersigned in order to discuss the present application further.

Request for Initialed Form PTO-1449

On January 15, 2004, Applicants filed an Information Disclosure Statement (IDS) with an attached PTO-1449. However, the Examiner has not yet returned an initialed copy of this form PTO-1449 indicating that the cited reference has been considered.

Application No.: 10/757,532

Docket No.: 0020-5217P


Accordingly, Applicants request that the Examiner return an initialed copy of the form PTO-1449 which accompanied the January 15, 2004 IDS.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: MAY - 4 2005

Respectfully submitted,

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